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October 2, 2003

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Christina Fernandez

Name

*Christina Fernandez*

Signature

October 2, 2003

Date

Attorney Docket No. 42.P14874

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sell et al.

Application No.: 09/900,423

Filed: July 6, 2001

For: HERMETICALLY SEALED EXTERNAL  
CAVITY LASER SYSTEM AND METHOD

Examiner: Vy, Hung T.

Art Unit: 2828

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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### INFORMATION DISCLOSURE STATEMENT

37 C.F.R. §§ 1.56, 1.97, 1.98

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449. Applicant respectfully requests that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant. Copies of the references listed on Form PTO-1449 are enclosed.

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability. Additionally, as to any reference supplied applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted

under one of the following:

☐ 37 C.F.R. §1.97(b).

☒ 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

☐ A statement pursuant to 37 C.F.R. §1.97(e) as follows:

☐ Each item of information contained in this information disclosure statement (IDS) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.

☐ No item of information contained in this information disclosure statement (IDS) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the IDS.

☒ A check for the fee required under 37 C.F.R. §1.17(p) for submission of the IDS.

☐ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are both of the following

☐ A statement pursuant to 37 C.F.R. §1.97(e) as follows:

☐ Each item of information contained in this information disclosure statement (IDS) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.

☐ No item of information contained in this information disclosure statement (IDS) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the IDS.

☐ A check for the fee required under 37 C.F.R. §1.17(p) for submission of the IDS.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.



Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: Oct. 2, 2003

A handwritten signature in black ink, appearing to read "Cory G. Claassen", written over a horizontal line.

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Enclosures: Postcard  
References (56)

Substitut for Form 1449A/PTO (Modified)			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			Application Number	09/900,423
			Filing Date	July 6, 2001
			First Named Inventor:	John E. Sell
			Group Art Unit	2828
			Examiner Name	Vy, Hung T.
of 3			Attorney Docket Number	42.P14874

### U.S. PATENT DOCUMENTS

Examiner Initial	U.S. Patent Document No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code <sup>2</sup>	Kind (If known)			
	1	4,410,992		Javan	10/18/1993	
	2	4,460,977		Shimada et al.	07/17/1984	
	3	5,124,993		Braunlich et al.	06/23/1992	
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	23	6,205,159	B1	Sesko et al.	03/20/2001	
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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

Application Number 09/900,423  
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 Group Art Unit 2828  
 Examiner Name Vy, Hung T.  
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		Number known)	Kind Code <sup>2</sup> (If known)			
	31	6,366,689	B1	Rao et al.	04/02/2002	
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## FOREIGN PATENT DOCUMENTS

Exam. Initial*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (If known)				
	48	WO	98/05105		ROYCHOUDHURI	02/05/1998		
	49	WO	00/49689		ZORABEDIAN	08/24/2000		
	50	WO	01/04999	A1	CYOPTICS LTD.	01/18/2001		
	51	WO	02/078137	A1	NEW FOCUS, INC.	10/03/2002		
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	53	WO	03/005501	A2	NEW FOCUS, INC.	01/16/2003		
	54	WO	03/005512	A2	NEW FOCUS, INC.	01/16/2003		

Examiner  
Signature

Date Considered

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

of

3

**Completeness** if Known

Application Number

09/900,423

Filing Date

July 6, 2001

First Named Inventor:

John E. Sell

## Group Art Unit

2828

Examiner Name

Vy, Hung T.

Attorney Docket Number

42.P14874

## OTHER ART – NO PATENT LITERATURE DOCUMENTS

Examiner IV  
Initials\*

Cite  
No<sup>1</sup>

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

 $T^2$ 

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KETELSEN, L. J. P., 'Simple Technique for Measuring Cavity Loss in Semiconductor Laser.' *Electronics Letters*, (August 18, 1994), Vol. 30, No. 17, pp. 1422-1424

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Examiner  
Signature

Date \_\_\_\_\_

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